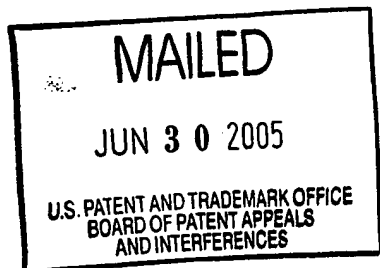


UNITED STATES PATENT AND TRADEMARK OFFICE



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BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES  
\_\_\_\_\_

Ex parte CHRISTOPHER HUGH STROLLE  
\_\_\_\_\_

Application 08/869,589  
\_\_\_\_\_

ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER  
\_\_\_\_\_

This application was received electronically at the Board of Patent Appeals and Interferences on June 20, 2005. A review of the application has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith being electronically returned to the examiner. The matters requiring attention prior to docketing are identified below:

A review of the file indicates that appellant filed an Appeal Brief on October 1, 2004. The examiner acknowledged the Appeal Brief in an Examiner's Answer mailed December 22, 2004. Section 1208 (Eighth Edition, Rev. 2, May 2004) of the Manual of Patent Examining Practice (MPEP) states:

(A) REQUIREMENTS FOR EXAMINER'S ANSWER

The examiner's answer is required to include, under appropriate headings, in the order indicated, the following items:

. . . . .

(9) References of Record. A listing of the references of record relied on, and, in the case of nonpatent references, the relevant page or pages.

The Examiner's Answer mailed December 22, 2004 does not comply with the above requirement.

Accordingly, it is

ORDERED that the application is returned to the Examiner:

- 1) for proper response to the "References of Record" section appearing in the Examiner's Answer mailed December 22, 2004;
- 2) for written notification to appellant regarding the action taken; and
- 3) for such further action as may be appropriate.

BOARD OF PATENT APPEALS  
AND INTERFERENCES

By: 

DALE M. SHAW  
Program and Resource Administrator  
(571) 272-9797

DMS/psb

Application 08/869,589

Moser, Patterson & Sheridan, LLP  
Sarnoff Corporation  
595 Shrewsbury Avenue  
Suite 100  
Shrewsbury, NJ 07702